WEST VIRGINIA LOTTERY

PRIVACY NOTICE

What information we collect and why we collect it:

- We may need to collect your name, address, and other personal information to perform necessary business functions or make decisions related to programs operated by the West Virginia Lottery or as otherwise required by state law.
- We may check your required information with state, federal, or other agencies, organizations, or individuals.

How we use your information:

- By West Virginia law, the Privacy Act of 1974, and other laws and regulations, we must collect your information to perform certain functions and/or related business of the Lottery.
- We may share your information with appropriate agency personnel, governmental agencies or others as required by law or business necessity.
- As a State agency, we may be required to give your information to authorities after receiving a legal request or a court order.
- Documents that contain your personal and nonpersonal information may be stored in a digital format.
- The Lottery uses an encrypted security program to protect stored personal information.

Reviewing and correcting your record – individual rights:

- You have the right to review your information in our records and to request corrections of inaccurate or outdated information.
- To make changes or update your personal information on file, you may be required to provide proof of your new information.
- All requests must be submitted in writing to:

Privacy Officer
900 Pennsylvania Avenue
Charleston, WV 25302

For persons who are neither Lottery Commissioners, Lottery officers or Lottery employees, the West Virginia Lottery will only ask you for your social security number in the following circumstances:

1. You claim a lottery prize of $600 or more directly from the Lottery, either by mail or personally at our Charleston or Weirton office. Your social security number is also your tax identification number, and the Internal Revenue Code requires that this prize payment be reported to the IRS along with the winners tax identification number [Form W-2G][i]; or

2. You are a sole proprietor of a business, a partner in a business, or the shareholder of an incorporated business who is a lottery retailer or sales agent, and the Lottery must prepare an IRS Form 1099 to report sales commissions received by you along with a tax identification number if that number is also a social security number [Form 1099]; or

3. You are applying for a lottery license or permit and you must allow the Lottery to capture your fingerprint images to be transported to the FBI records center for a statutory or regulatory required criminal background investigation. This is an FBI requirement.

Disclosure of your social security number should only be made if obtained from you in accordance with Section 7 of the Privacy Act of 1974. Your disclosure is voluntary and failure to provide the number will not subject you to a criminal or civil penalty.

When the West Virginia Lottery obtains your social security number, it will use the number for the purpose(s) cited above. The Lottery will not sell or share this number with any other person or entity, and will decline to make it available in response to any freedom of information request. Only government entities that are authorized to receive and use social security numbers by law will gain access, other than when outside access is ordered by a competent court of record.

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[i] As to situation #1 above, failure to provide a release to use your social security account number will require the West Virginia Lottery, under the United States Internal Revenue Code, to withhold an additional three percent from your prize payment ["backup withholding"], and the 28% withheld will not be credited to your federal tax account for taxes withheld because there is no federal taxpayer identification number to which the withheld money may be credited.